

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

COTTRELL BROADNAX,  
Plaintiff,  
v.  
UNKNOWN,  
Defendant.

Case No. [22-cv-09102-JSW](#)

**ORDER OF TRANSFER**

Plaintiff, a California prisoner proceeding pro se, filed this civil rights action under 42 U.S.C. § 1983. Plaintiff is located at Kern Valley State Prison (“KVSP”), and Defendants are located there and in Sacramento, California. He complains about the calculation of his minimum eligible parole date. Kern and Sacramento Counties fall within the venue of the Eastern District of California.

When, as here, jurisdiction is not founded on diversity, venue is proper in the district in which (1) any defendant resides, if all of the defendants reside in the same state, (2) the district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated, or (3) a judicial district in which any defendant may be found, if there is no district in which the action may otherwise be brought. 28 U.S.C. § 1391(b). Where a case is filed in the wrong venue, the district court has the discretion either to dismiss the case or transfer it to the proper federal court “in the interest of justice.” 28 U.S.C. § 1406(a).

Plaintiff’s allegations arise out of events occurring in Kern County, and the allegedly responsible officials are located there and in Sacramento County. The proper venue for his claims is the Eastern District of California. Accordingly, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this case is TRANSFERRED to the United States District Court for the Eastern

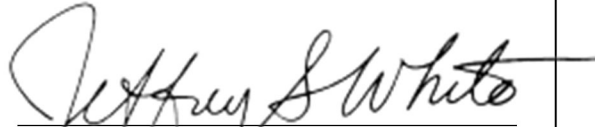
District of California.

The Clerk of the Court shall transfer this matter forthwith. In light of this transfer, the Court defers to the Eastern District for ruling on the motion for leave to proceed in forma pauperis.

The Clerk shall terminate docket number 6 from this Court's docket.

**IT IS SO ORDERED.**

Dated: January 13, 2023

  
JEFFREY S. WHITE  
United States District Judge

United States District Court  
Northern District of California